

Also, in Maloomian, Figure 1 shows (Column 3, lines 36-49. Emphasis added.):

Referring to FIG. 1, a television camera or video camera 10, such as a JVC Model KY 1900 U CHL 6 communicates with a frame grabber 12, such as a OCTEK 2200. The camera 10 records the customer 14 to provide a first image 16; see FIG. 2(a).

Various articles of clothing are modeled to provide second images. The images are coded and stored in a memory 18, such as a DEC RX02; via a CPU 20, such as a DEC LSI-11/23. As many **recordings of various articles of clothing as desired are taken and stored in sequence in the memory 18**. The second images from the memory 20 [18] are input to an image buffer 22 such as an AED 512. The image in the image buffer 22 is scaled and the output is displayed on a video screen 24.

Maloomian teaches to store only "at least one apparel image" but not "the customer image" in a database (corresponding to "el. 18, memory" as shown in Figure 1 of Maloomian). Thus, Applicant submits that Maloomian does not anticipate the invention as claimed in claim 1 and asks for reconsideration. Because claims 2-5 and 9 depend on independent claim 1, Maloomian cannot form the basis for a rejection of these dependent claims based on 35 USC §102. Accordingly, Applicant requests that the rejection be withdrawn for the dependent claims.

Claim 14 is currently amended to include the limitations of claim 15. As originally filed, claim 15 is dependent upon claim 14. Claim 15 is cancelled without prejudice. As amended, claim 14 includes the limitation of "storing the customer image, wherein the step of generating the composite image further comprises retrieving the customer image in response to a request for the composite image." As discussed above, Maloomian does not teach or even suggest this limitation. Moreover, claims 15-17 are dependent upon independent claim 14, and Applicant submits that claims 15-17 are not anticipated by Maloomian. Thus Applicant requests for consideration of claims 14-17.

35 USC §103

Claims 6-8 and 18-20 are rejected under 35 U.S.C. §103(a) by the Office Action as being unpatentable over Maloomian in view of Lowe (U.S. Patent No. 6,298,218). Claims 6-8 are dependent on claim 1 and thus include all the limitations of claim 1. As discussed above, Maloomian does not teach or even suggest the limitation of "a database, coupled to the controller, for storing the customer image and at least one apparel image corresponding to the

potential purchase item". Moreover, Lowe does not teach this limitation, and thus the combination cannot teach or even suggest this limitation. Moreover, claim 6 includes the limitation of a "trigger device, coupled to the controller, that detects the presence of **the customer** and, in response, causes the composite image to be displayed by the image display system." (Emphasis added.) The composite image is specific to "the customer." Consequently, the trigger device operates in a fashion that is specific to "the customer." However, Lowe does not teach or even suggest this limitation as included in claim 6. Rather, Lowe teaches (Column 3, lines 9-13, as cited in Office Action. Emphasis added.):

In yet another embodiment, when a person without a headset steps on the treadmill, **an ultrasound, or other user presence detection interface would detect the presence of the user** in proximity to the treadmill and trigger the display to light up.

Lowe further teaches (Column 9, line 65 to column 10, line 12.):

The sensor 50 that detects the presence of the user in the proximity of the treadmill could operate via ultrasound, motion, IR, sound, light, applied manual pressure, heat or air pressure. **An ultrasound, or other user presence detection sensor detects a return signal bouncing off of a user that is in proximity to the treadmill.** A motion sensor detects the presence of a user due to movement in proximity to the treadmill. A light sensor detects the presence of a user by a change in the ambient light near the treadmill. A sound sensor detects a user by a change in the sound level or on recognizing the occurrence of certain patterns of sound in proximity to the treadmill. An applied manual pressure sensor detects the presence of a user when a user steps on the treadmill by sheer force of the user's weight.

The trigger device, as taught by Lowe, will trigger in the presence of anything that bounces an ultrasound signal, including an animate or inanimate object. Thus, Applicant submits that the combination of Maloomian and Lowe does not teach the limitation of a "trigger device, coupled to the controller, that detects the presence of the customer and, in response, causes the composite image to be displayed by the image display system." Because the combination of Maloomian and Lowe does not suggest or even suggest the at least two limitations as discussed above, Applicant submits that claim 6 is patentable over Maloomian in view of Lowe and requests for reconsideration. With regard to claim 8, Applicant traverses the assertion of the Official Notice "that triggering device comprises a camera, coupled to the controller, that captures an authentication image of the customer when the customer is in proximity to the camera, and



wherein correspondence to the authentication image to the customer image causes the composite image to be displayed is well known in the art". Applicant submits that the prior art of record does not teach this teaching. Thus, Applicant, in accordance with MPEP 2144.03, requests for a citation of prior art that teaches this teaching. Claims 7-8 are dependent on claim 6, and thus Applicant submits that claims 7-8 are also patentable over Maloomian in view of Lowe and requests for reconsideration.

Claims 18-20 are dependent upon claim 14 and thus include all the limitations of independent claim 14. As discussed above, claim 14 is amended to include the limitations of claim 15, including the limitation of "storing the customer image, wherein the step of generating the composite image further comprises retrieving the customer image in response to a request for the composite image." As discussed above, Maloomian does not teach or even suggest this limitation. Moreover, Lowe does not teach or even suggest this limitation, and thus the combination of Maloomian and Lowe does not teach or even suggest this limitation. Applicant submits that claims 18-20 are patentable over Maloomian in view of Lowe and requests for reconsideration.

Claim 21 is added and is supported by the specification as originally filed.

All objections and rejections having been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

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